

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

BNSF RAILWAY COMPANY,

Cause No. CV-19-40-M-DLC
Hon. Dana L. Christensen

Relator,

v.

THE CENTER FOR ASBESTOS
RELATED DISEASE, INC.,

Defendant.

CARD's EXHIBITS – WILL/MAY OFFER

No.	Description	BNSF Objection (Y or N)	Date Offered	Date Reserved	Date Admitted	Refused/ WD
301	2011 ATSDR Funding Opportunity Announcement					
302	2015 ATSDR Funding Opportunity Announcement					
303	2019 ATSDR Funding Opportunity Announcement					
304	Declaration of Max Baucus, February 11, 2022					
305	Public Law 111-148, March 23, 2010 (excerpt)					
306	Email exchange w SSA employee Sonia Hymas					
307	ATSDR Notice of Award for 2011 grant					
308	ATSDR Notice of Award for 2015 grant					
309	ATSDR Notice of Award for 2019 grant					
310	2012 Progress Report to ATSDR					
311	2012 Budget Justification					
312	2013 Progress Report to ATSDR					
313	2013 Budget Justification					

No.	Description	BNSF Objection (Y or N)	Date Offered	Date Reserved	Date Admitted	Refused/ WD
314	2014 Progress Report to ATSDR					
315	2014 Budget Justification					
316	2015 Progress Report to ATSDR					
317	2015 Budget Justification					
318	2016 Progress Report to ATSDR					
319	2016 Budget Justification					
320	2017 Progress Report to ATSDR					
321	2017 Budget Justification					
322	2018 Progress Report to ATSDR					
323	2018 Budget Justification					
324	2019 Progress Report to ATSDR					
325	2019 Budget Justification					
326	2020 Progress Report to ATSDR					
327	2020 Budget Justification					
328	2021 Progress Report to ATSDR					
329	2021 Budget Justification					
330	2022 Progress Report to ATSDR					
331	2022 Budget Justification					
332	SSA email w EHH					
333	Tracy McNew Declaration					

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334	Tracy McNew Deposition					
335	Brad Black Deposition					
336	SSA Award					
337	ATSDR emails re 2015 OIG investigation					
338	ATSDR email re 2015 OIG investigation					
339	CMS letter to OIG re investigation					
340	2015 OIG investigation proposal					
341	2021 NOA for supplement					
342	2019 SSA OIG Report					
343	CARD P&L 2016-2021					
344	CARD 2015 ATSDR Final Report					
345	HHS OIG subpoena duces tecum					
346	CARD subpoena duces tecum response					
347	CARD 2020 Supplement Narrative					
348	Max Baucus deposition					
349	ATSDR Touhy request					
350	Theodore Larson Declaration					
500	B-Reader Imaging Classification Form – November 19, 2012					
501	Roentgenographic Interpretation Reading – August 20, 2013					
502	Roentgenographic Interpretation Reading – October 17, 2012					

No.	Description	BNSF Objection (Y or N)	Date Offered	Date Reserved	Date Admitted	Refused/ WD
503	B-Reader Imaging Classification Forms – August 31, 2011 to October 4, 2021					
504	Constulting Agreement between CARD and UW Radiology					
505	CT Parenchymal and Pleural Data Reports					
506	Year 1 – 1 st Peer Review Summary of CT Readings					
507	Physician CT Comparison Chart 1- 2012					
508	Year 2 – 2 nd Peer Review Summary of CT Readings					
509	Year 3 – 1 st Peer Review Summary of CT Readings					
510	Year 3 – 2 nd Peer Review Summary of CT Readings					
511	Year 4 – 1 st Peer Review Summary of CT Readings					
512	Year 5 – 1 st Peer Review Summary of CT Readings					
513	Tracy McNew's CARD Peer Review Summary Follow-up and Results Email					
514	Physician CT Comparison Chart 2 – 2019 to 2020					
515	January 2011 – December 2022 CARD Expense by Vendor Detail and Billing Reports					
516	Lynch CT read					
517	Screening Criteria Clarification – 08/03/2010					
518	ATSDR Trial Subpoena					
519	Email to outside readers					
520						
521	ACA Data Request - 2014					

No.	Description	BNSF Objection (Y or N)	Date Offered	Date Reserved	Date Admitted	Refused/ WD
522	Peer Review Reminder Email - 2015					
523	Year 5 – 2 nd Peer Review Summary of CT Readings					
524	Publication Notification of PALS Manuscript – December 1, 2016					
525	Ted Larson email 6-27-2014					
526	Year 3; 2 nd Quarter – CARD Findings Report – December 1, 2021 – February 28, 2022					
527	Year 4; 2 nd Quarter – CARD Findings Report – December 1, 2022 – February 28, 2023					
528	Julia Bryan Email – April 15, 2010					
529	Marianna LaCanfora Email – April 15, 2010					
530	Cheryl Williams Email – April 15, 2010					
531	Cheryl Williams Email – April 19, 2010					
532	Tanis Email – April 19, 2010					
533	Julia Bryan “Transition Letter” Email – April 19, 2010					
534	Julia Bryan Email – April 19, 2010					
535	Tanis Hernandez “FLASH Criteria” Email – April 19, 2010					
536	Laura Jack Email – April 20, 2010					
537	Cheryl Williams Email – April 20, 2010					
538	Loretta Hill Email – April 22, 2010					
539	Mary Lisa Lewandowski Email – April 26, 2010					
540	Cheryl Williams Email – April 27, 2010, to April 28, 2010					
541	Mary Lisa Email – May 3, 2010, to May 4, 2010					
542	Tanis Email – May 3, 2010 – May 4, 2010					

No.	Description	BNSF Objection (Y or N)	Date Offered	Date Reserved	Date Admitted	Refused/ WD
543	Tanis Email – May 5, 2010					
544	Mary Lisa Email – May 5, 2010					
545	Cheryl Williams Email – May 5, 2010					
546	Cheryl Williams Email – May 6, 2010					
547	Tanis Email – May 6, 2010					
548	Mary Lisa Email – May 7, 2010, to May 10, 2010					
549	Cheryl Williams Email – May 8, 2010, to May 10, 2010					
550	Nancy Berryhill Email – May 12, 2010					
551	Mary Lisa Email – May 12, 2010					
552	Cheryl Williams Email – May 13, 2010					
553	Mark Fredenberg Email – May 13, 2010					
554	Mary Lisa “Confirmation” Email – May 14, 2010					
555	Mary Lisa “Future Appointments: Email – May 14, 2010					
556	Mary Lisa Email – May 17, 2010					
557	Tanis Email – May 18, 2010					
558	Cheryl Williams Email – May 18, 2010					
559	Tanis Email – May 18, 2010, to May 19, 2010					
560	Cheryl Williams “SSA Staff” Email – May 19, 2010					
561	Cheryl Williams “She left a VM” Email – May 19, 2010					
562	Cheryl Williams Email – May 21, 2010, to May 23, 2010					
563	Cheryl Williams Email – May 24, 2010					
564	Cheryl Williams Email – May 28, 2010, to June 2, 2010					

No.	Description	BNSF Objection (Y or N)	Date Offered	Date Reserved	Date Admitted	Refused/ WD
565	Shayla Hadley Email – June 1, 2010					
566	Tanis “Dr. Black’s Diagnosis” Email – June 3, 2010					
567	Tanis “Correspondents” Email – June 3, 2010					
568	Kent Averett Email – June 7, 2010					
569	Shawn Reid Email – June 8, 2010					
570	Kent Averett Email – June 8, 2010					
571	Tanis Email – June 9, 2010					
572	Kent Averett “Do you have time...” Email – June 10, 2010					
573	Kent Averett “Meeting at CARD” Email – June 10, 2010					
574	Kent Averett “Mary would like...” Email – June 10, 2010					
575	Cheryl Williams Email – June 14, 2010					
576	Mary Lisa Email – June 15, 2010					
577	Kent Email – June 15, 2010					
578	Cheryl Email – June 14, 2010, to June 15, 2010					
579	Tanis Email – June 15, 2010					
580	Shawn Reid Email – June 14, 2010, to June 16, 2010					
581	Tanis Email – June 17, 2010					
582	Kent Email – June 18, 2010, to July 6, 2010					
583	Mary Lisa Email – June 24, 2010					
584	Tanis Email – July 1, 2010					
585	Tanis Email – July 2, 2010					
586	Mary Lisa Email – July 6, 2010					
587	Tanis Email – July 8, 2010					
588	Mary Lisa Email – July 9, 2010					

No.	Description	BNSF Objection (Y or N)	Date Offered	Date Reserved	Date Admitted	Refused/ WD
589	Jim Capp Email – July 12, 2010					
590	Tanis Email – July 12, 2010, to July 16, 2010					
591	Cheryl Email – July 29, 2010					
592	Mary Lisa Email – August 10, 2010					
593	Mary Lisa Email – August 23, 2010, to August 24, 2010					
594	Cheryl Email – September 20, 2010, to September 21, 2010					
595	Mary Lisa Email – September 22, 2010, to September 29, 2010					
596	Tanis Email – October 14, 2010					
597	Mary Lisa Email – October 19, 2010					
598	Tanis Email – November 19, 2010					
599	Mary Lisa Email – December 23, 2010					
600	Tracy McNew Email – January 5, 2011					
601	Mary Lisa Email – January 6, 2011					
602	Tanis Email – January 24, 2011, to January 25, 2011					
603	Mary Lisa Email – May 25, 2011					
604	Tanis Email – May 25, 2011					
605	Mary Lisa Email – June 1, 2011					
606	Mary Lisa Email – June 8, 2011					
607	Tanis Email – July 6, 2011, to July 26, 2011					
608	Tanis Email – August 15, 2011					
609	Sonya Lloyd Email – August 31, 2011					
610	Sonya Lloyd Email – August 31, 2011, to September 1, 2011					
611	Tanis Email – September 2, 2011					
612	Tanis Email – September 23, 2011, to September 26, 2011					

No.	Description	BNSF Objection (Y or N)	Date Offered	Date Reserved	Date Admitted	Refused/ WD
613	Tanis Email – September 26, 2011, to September 27, 2011					
614	Terra Treweek (Whiteman) Email – November 7, 2011, to November 9, 2011					
615	Lori Staska Email – December 14, 2011					
616	Lori Staska Email – December 29, 2011					
617	Tanis Email – January 31, 2012					
618	Tanis Email – February 10, 2012					
619	Tawn Borcyckowski Email – February 13, 2012					
620	Lori Staska Email – March 6, 2012					
621	Tanis Email – August 1, 2012					
622	Mary Lisa Email – August 3, 2012					
623	Dr. Black Email – August 26, 2013					
624	Tanis Email – December 19, 2013					
625	Mary Lisa Email – December 19, 2013					
626	Kathy Suarez Email – December 20, 2013, to December 23, 2013					
627	Tanis Email – December 23, 2013					
628	Tanis Email – January 20, 2014, to January 21, 2014					
629	Sonya Email – January 22, 2014					
630	Terra Whiteman Email – April 23, 2014					
631	Terra Whiteman Email – August 26, 2014					
632	Sonya Email – October 16, 2014					
633	Sonya Email – April 29, 2015					
634	Terra Whiteman Email – June 4, 2015, to June 18, 2015					

No.	Description	BNSF Objection (Y or N)	Date Offered	Date Reserved	Date Admitted	Refused/ WD
635	Mary Karen Email – December 7, 2015					
636	Mary Karen Email – February 8, 2016					
637	Mary Karen Caraway Email – August 4, 2016					
638	Mary Karen Caraway Email – January 17, 2017					
639	Tanis Email – February 8, 2017, to February 15, 2017					
640	Sonya Email – March 27, 2017					
641	Mary Karen Caraway Email – January 9, 2018					
642	Mary Karen Caraway Email – January 10, 2018					
643	Terra Whiteman Email – May 8, 2018					
644	Kayla Friss Email – May 17, 2018					
645	Kayla Friss Email – December 4, 2018					
	Any depositions taken in this matter together with any deposition exhibits					
	Any and all discovery responses served in this matter					
	Any and all documents produced by the parties in this matter					
	Any and all documents produced in response to subpoenas in this matter					
	Demonstrative exhibits					
	Any exhibits for foundation, impeachment or rebuttal					
	Any exhibits listed by Defendant					
	Any exhibits relied upon by experts					

